

**NYS Department of State
Office of Planning and Development
Environmental Protection Fund
Local Waterfront Revitalization Program (EPF LWRP)
2017 – 2018 Request for Applications
RFA #17-LWRP-3**

Questions & Answers

The responses to questions included herein are official responses by the Department of State (DOS) to questions submitted by potential applicants and are hereby incorporated into Request for Applications RFA #17-LWRP-3 issued on May 1, 2017. In the event of any conflict between the Request for Applications and these responses, the requirements or information contained in these responses will prevail.

Posted 5/24/17

Q1. Can you provide me with a list or where I can find qualified consultants to provide estimates for an LWRP Planning grant?

A1 The DOS does not maintain a list of consultants.

Q2. There are rumors that the list of inland waterways conferring eligibility for LWRP funding was going to be increased to make more communities eligible for LWRP funding. However, I don't see anything to that effect on the DOS website. Is there any truth to the rumor?

A2. Designated Inland Waterways are defined in Section 911 of Article 42 of the Executive Law. The current list of Coastal Waterbodies and Designated Inland Waterways is posted at the Department's website: <http://www.dos.ny.gov/funding/rfa-17-lwrp-03/index.html>.

The process to add a waterway to the list includes introduction of a legislative bill by sponsors in the NYS Senate and Assembly to amend executive law to expand the definition of inland waterways to include the proposed waterway. Once adopted by the NYS Legislature the bill is sent to the Governor for approval. When the bill is signed by the Governor, the list of Coastal Waterbodies and Designated Inland Waterways is revised.

Q3. Can you email me an updated list of Designated Inland Waterways? The list I have was published in June of 2016 and I think the list has been updated since then.

A3. The current list of Coastal Waterbodies and Designated Inland Waterways is posted at the Department's website: <http://www.dos.ny.gov/funding/rfa-17-lwrp-03/index.html>. The last revision of the list was June 2016.

Q4. The Village of Wilson has a beautiful harbor and we would like to capitalize on opportunities it presents. The Village of Wilson is hosting a meeting with the Town Government and several stake holders from our harbor community. I have been reviewing a Local Waterfront Revitalization Program help guide and have the following questions about the LWRP:

1. Under the Standard Reimbursement Contract, is the village allowed to submit the invoice for reimbursement or must the village pay the invoice for any work completed then submit for reimbursement?

2. Is there an opportunity for a contract advance?

3. Would In Kind service suffice for a match from the village?

4. What is expected for the village to show an explicit demonstration of its ability to match funds?

A4. 1. Grantees with an executed contract may submit invoices to document costs incurred for reimbursement.

2. No, the EPF LWRP is a reimbursement program. There will be no contract advance available to grantees.

3. Yes, the required local match may be met entirely through in-kind services required to complete project tasks. Refer to the EPF LWRP [Request for Applications](#) Section VI FUNDING RESTRICTIONS for more details on Local Match, Volunteer Services, Donated Professional Services, Construction, Eligible Costs, and Ineligible Costs.

4. Applicants should explicitly specify in the application and budget the amount, type and source of eligible local match, and that it has been secured.

Q5. The Town of Ontario is looking for funding assistance for the reconstruction of their boat launch on Lake Ontario at the Bear Creek outlet. The boat launch has significantly deteriorated and need reconstructive work including widening it to three lanes, reconstruction of the driving surface, replacements, installations of retaining walls, and a launch dock.

We wanted to assure that this project would fall under the Department of State Local Waterfront Revitalization Program through the CFA process and is a good fit.

If you feel this project doesn't fit this program or can recommend another program or agency, we would welcome the suggestion.

A5. The Town of Ontario does not have an approved LWRP or relevant LWRP component substantially completed, therefore, is not currently eligible to apply for design and construction of the boat launch. As the Town of Ontario is located along Lake Ontario, the Town is eligible to apply for funding for general planning needed to advance eligible activities listed in EPF LWRP [Request for Applications](#) Section V ELIGIBLE ACTIVITIES.

To be eligible for project-specific planning, feasibility, design, and/or marketing needed to advance eligible activities, the Town would need to be currently preparing a Local Waterfront Revitalization Program (LWRP) or component or with an approved LWRP or component.

To be eligible for construction of projects, the Town would need to have an approved LWRP or relevant LWRP component substantially completed.

In regards to exploring other potential funding sources, the 2017 [Available CFA Resources](#) guide, posted on the Consolidated Funding Application webpage (<https://apps.cio.ny.gov/apps/cfa/>) contains descriptions of funding programs made available from over 30 program through 12 state agencies.

- Q6. The City of Cohoes has a rich canal history and three waterfronts. None of which currently have any public access. Sitting at the confluence of the Hudson and Mohawk Rivers as well as the Erie and Champlain Canals this seems more than a bit absurd. We plan to remedy that. We have formed what we believe is a first of its kind partnership that will reintroduce our public with our beautiful rivers. This group includes The City of Cohoes, Prime Commercial Properties and RPI's School of Architecture. Prime owns an important waterfront property and will allow us access and waterfront development rights and the RPI School of Architecture has agreed to have their incoming class of grad students take on the task of designing this project and will be graded. The city, of course is the applicant and will provide certain funding and other services. Now the question. Although we can prove site control the actual design work doesn't start until August 1st when the students begin class. We would be able to provide a place holder type site plan until a final plan is selected and a budget maximum we are providing the students. A final hard line item budget would be completed once the design is selected. I'm hoping this would be enough to apply for this cycle of the CFA process.**
- A6. To be eligible for construction of projects, the City would need to have an approved LWRP or relevant LWRP component substantially completed. Documentation of the approved LWRP or relevant LWRP component should be included in the grant application. The DOS will evaluate and determine eligibility during the application evaluation process.

For construction only projects, the applicant must submit final design and construction documents certified by a licensed professional engineer, architect or landscape architect with the grant application. For projects that include both design and construction within the project scope, the final design and construction documents prepared with grant funding must be certified by a licensed professional engineer, architect, or landscape architect and the appropriate seal must be affixed to these documents. Any prepared site plans and schematic drawings available, should be included as an attachment to the grant application.

Construction work must be done on public property or where there is a permanent public interest established, such as a conservation easement, and the predominant purpose is to provide a public benefit. The grant application should identify the current owner of the land where construction will be performed. If the land is not publically owned, the applicant should explain the method by which permanent public interest has been established or the anticipated method and estimated timeframe when permanent public interest will be secured.

Q7. What is the definition of an environmental justice community used to determine if a project is eligible to receive state assistance for 85% of the total eligible project cost?

A7. Potential Environmental Justice Areas are communities which have populations that met or exceeded at least one of the following statistical thresholds:

- At least 51.1% of the population in an urban area reported themselves to be members of minority groups; or
- At least 33.8% of the population in a rural area reported themselves to be members of minority groups; or
- At least 23.59% of the population in an urban or rural area had household incomes below the federal poverty level.

The Department will evaluate and confirm any supporting documentation submitted in the grant application which demonstrates the project is located within an environmental justice community to determine if the project is eligible to receive state assistance of 85% of the total project cost.

For projects that include multiple municipalities, every municipality must meet the environmental justice criteria for the grant to receive state assistance of 85% of the total project cost.

Maps depicting potential environmental justice areas are available on the NYS Department of Environmental Conservation website: <http://www.dec.ny.gov/public/899.html>

Q8. I am a grant writer, procured by a municipality, to prepare a CFA application for the Local Waterfront Revitalization Program. I downloaded the Minority-And Women-Owned Business Enterprises (MWBE) waiver form for our LWRP CFA project. Is the completion of that form all that is needed for the application to qualify for the waiver?

A8. NYS MWBE goals do not apply to preparation of CFA applications, therefore a MWBE waiver does not need to be submitted with the CFA application.

If the proposed project is selected for an award, the grantee will be required to comply with all the contractual requirements, including demonstrating that a good faith effort is made to meet the goals for certified MWBE firms participation in accordance with Article 15-A. For the purpose of this solicitation, the Department of State has established an overall MWBE goal of 30% of the total State funding awarded.

As part of the LWRP CFA application, applicants are required to create a plan for compliance with the Certified Minority-And Women-Owned Business Enterprises. The requested plan is intended to help an applicant think about how to comply with the regulations and provide information showing their due-diligence to comply with the MWBE requirements.

Refer to the EPF LWRP [Request for Applications](#) Section IX. CONTRACT REQUIREMENTS and Appendix 1 CONTRACTOR REQUIREMENTS AND PROCEDURES FOR PARTICIPATION BY NEW YORK STATE-CERTIFIED MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES, EQUAL EMPLOYMENT OPPORTUNITIES FOR

MINORITY GROUP MEMBERS AND WOMEN, AND SERVICE-DISABLED VETERAN-OWNED BUSINESSES for more details.

Q9. I have two clarifying questions regarding the RFA for the LWRP in the 2017 CFA:

1. How are environmental justice communities defined for this solicitation?

2. What is needed to document that a county is applying with the consent and on the behalf of a village, town, or city?

A9. 1. Please refer to A7.

2. A county, with the consent and on behalf of one or more villages, towns, or cities located along New York's coasts or designated inland waterways, may submit an application for an EPF LWRP grant. Letters or resolutions demonstrating support for an application should be submitted as attachments through the Consolidated Funding Application (CFA question Q_1978).

Q10. This question pertains to match for a proposal for work on some implementation projects under the Otisco Lake Watershed Management Plan. I spoke with Andy Zepp of the Finger Lakes Trust about the possibility of using their land purchase along the lake as possible match. However, he wondered about the date eligibility. I told him there is usually a back date for when match can be applied. I believe their date of purchase was officially January 2016. Would this be eligible if we got the grant?

A10. Land acquired (e.g., purchase or donation) may only be used as local match for construction projects. Land acquired must directly support the project and be acquired within three years prior to the contract start date or within the executed contract term. Therefore, if the property directly supports the project and was purchased in January 2016, the value may be used as local match for a construction project. A map identifying the property, current appraisal report and copy of the recorded deed conveying title will be required to document property value and ownership.

UPDATES: 7/7/17

Q11. To whom should letters of support should be addressed?

A11. Letters of support for EPF LWRP grant applications may be addressed to Sarah Crowell, AICP, and should be submitted with an application through the CFA portal - see CFA question Q_1978.

Q12. I was wondering if the Upper Hudson River Watershed Coalition would be able to apply for implementation funding based off the work we have completed for the Upper Hudson River Watershed Revitalization Plan. And if so, is there any documentation the needs to be submitted to you before the application goes in?

A12. Not-for-profit organizations (including, but not limited to, community-based organizations and neighborhood groups) and for-profit organizations are not eligible applicants for EPF LWRP grants. Eligible applicants are villages, towns, or cities, and counties (with the consent and on behalf of one or more villages, towns, or cities) which are located along New York's coasts or inland waterways as designated pursuant to Executive Law, Article 42 (see [RFA](#) Section II, page 3). Eligible applicants may

partner with other organizations; however, only applications from eligible applicants will be evaluated for funding.

For project-specific planning, feasibility, design, and/or marketing needed to advance eligible activities an applicant must be a village, town, city, or county with the consent and on behalf of one or more villages, towns or cities currently *preparing* a LWRP or component or with an approved LWRP or component.

For construction of projects needed to advance eligible activities an applicant must be a village, town, city with an approved LWRP or the relevant LWRP component substantially completed, or a county with the consent and on behalf of one or more eligible village, town, or city with an *approved* LWRP or relevant LWRP component substantially completed.

Q13. I understand that if the waterbody is owned by multiple municipalities that permission must be obtained by all municipalities before a county is able to move forward with a LWRP. Would a letter of support suffice? Or do you require something like an MOU or IMA?

A13. A county, with the consent and on behalf of one or more villages, towns, or cities located along New York's coasts or designated inland waterways, may submit an application for an EPF LWRP grant. Letters, resolutions, MOUs, or IMAs may be submitted to demonstrate support for an application. These may be submitted as attachments through the Consolidated Funding Application (CFA question Q_1978).

Q14. Do in-kind services count towards the 25% required local match? If not, can you provide me with a list of specific items that are considered part of a local match?

Q14. Yes, the required local match may be met through in-kind services required to complete project tasks. Refer to the [RFA](#) Section VI FUNDING RESTRICTIONS, pages 12-14 for more details on Local Match, Volunteer Services, Donated Professional Services, Construction, Eligible Costs, and Ineligible Costs.

Q15. Lake George Village in Warren County intends on submitting a grant application for a pedestrian infrastructure project via 17-LWRP-3.

1. Does the grant require that the Village pass a resolution of support for the proposed project/grant application?

2. The road that the pedestrian enhancements will be along is a state road. Will it be necessary to have some sort of letter/preliminary approval from NYSDOT?

A15. 1. A municipal resolution is not required as part of the EPF LWRP grant application. However, if an applicant wishes to submit letters or resolutions demonstrating support for an application, these should be submitted as attachments through the CFA (CFA question Q_1978).

2. A letter/preliminary approval from NYSDOT is not required. However, if an applicant wishes to submit letters or resolutions demonstrating support for an application or preliminary approvals, these should be submitted as attachments through the CFA (CFA question Q_1978).

Q16. Can a municipality apply for the 2017 CFA round for LWRP funding, if they are already part of an existing one?

A16. Yes, an eligible applicant can submit an EPF LWRP grant application if they are currently part of a previously awarded grant.

Q17. The Town of Macedon will be implementing a LWRP plan originally put in place by the Village of Macedon before the Village dissolved into the Town back in March. Are the MWBE requirements in place for Implementation projects?

A17. Yes. If the proposed project is selected for an award, the grantee will be required to comply with all the contractual requirements, including demonstrating that a good faith effort is made to meet the goals for certified MWBE participation in accordance with Article 15-A. For the purpose of this solicitation, the Department of State has established an overall MWBE goal of 30% of the total State funding awarded.

Refer to the [RFA](#) Section IX. CONTRACT REQUIREMENTS page 21 and Appendix 1 CONTRACTOR REQUIREMENTS AND PROCEDURES FOR PARTICIPATION BY NEW YORK STATE-CERTIFIED MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES, EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITY GROUP MEMBERS AND WOMEN, AND SERVICE-DISABLED VETERAN-OWNED BUSINESSES for more details.

Q18. Can you please explain what needs to be included in the CFA application to answer the MWBE question? I know I need to upload the MWBE calculation template, but what else do I need to include?

A18. Applicants are required to create a plan for compliance with the Certified Minority-And Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women requirements as part of the EPF LWRP grant application. The plan will include a DETAILED statement, with the project description, on how you intend to meet the MWBE goals with your project. The calculation template does not need to be uploaded; it is provided for applicant use in calculating the anticipated MWBE goal for the project. There is no form to use for this plan.

For the purpose of this solicitation, the Department of State has established an overall MWBE goal of 30% of the total State funding awarded. The plan for compliance must be submitted as an attachment through the CFA (CFA question Q_6460). The requested plan is intended to help an applicant think about how to comply with the regulations and provide information showing their due-diligence to comply with the MWBE requirements.

Refer to the [RFA](#) Section IX. CONTRACT REQUIREMENTS page 21 and Appendix 1 CONTRACTOR REQUIREMENTS AND PROCEDURES FOR PARTICIPATION BY NEW YORK STATE-CERTIFIED MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES, EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITY GROUP MEMBERS AND WOMEN, AND SERVICE-DISABLED VETERAN-OWNED BUSINESSES for more details..

Q19. Are the forms listed under “MWBE Forms” at the bottom of this DOS webpage - <http://www.dos.ny.gov/funding/rfa-17-lwrp-03/index.html> - required to be submitted as an attachment with the CFA application?

A19. No, the forms posted on the DOS website do not need to be submitted as attachments to EPF LWRP grant applications.

Applicants may use the [MWBE Goals Calculation Template](#) to project the MWBE goal amount for a proposed project. Calculation of the MWBE goal is necessary for the applicant to complete a plan for MWBE compliance plan required as part of the EPF LWRP grant application. See the answer to Question 18 above for details on MWBE compliance plan which is required to be submitted with the EPF LWRP grant application.

Q20. We are writing a grant on the behalf of the Town of Moriah and wanted to ask a few questions in regards to the requirement of the MWBE Utilization Plan. Does all of this information needed to be completed prior to award? Or would the Plan come after once our RFP has been awarded and a consultant has been selected?

A20. Yes, a plan for MWBE compliance which addresses items #1-6 listed in CFA question Q_6460 must be submitted as an EPF LWRP grant application attachment. The requested plan is intended to help an applicant think about how to comply with the regulations and provide information showing their due-

diligence to comply with the MWBE requirements. The compliance plan will serve as a basis for completing FORM D - M/WBE UTILIZATION PLAN (available here: <http://www.dos.ny.gov/funding/rfa-17-lwrp-03/index.html>) required from successful applicants prior to execution of a contract with the DOS.

Q21. The Documents section of the CFA (Q_1978) asks for resolutions. There are no “scoring tips” is there a sample resolution with required language that you would like the town to use?

A21. No, the Department of State does not have a prescribed template for municipal resolutions. A municipal resolution is not required when submitting an EPF LWRP grant application, however, applicants may choose to submit relevant municipal resolutions.

Q22. Who should the letters of support be addressed to?

A22. Please refer to A11.

Q23. The Documents section of the CFA (CFA question Q_6460) asks for an M/WBE Utilization Plan. Your website indicates that these M/WBE forms are required. Are all of these forms required to be completed and uploaded for the grant application, or are these forms only required at the future point of award and contract?

A23. Please refer to A19.

Q24. Do you have a template municipal resolution that you would like grant applicants to use for the LWRP grant?

A24. No, the Department of State does not have a prescribed template for municipal resolutions. A municipal resolution is not required when submitting an EPF LWRP grant application.

Q25. I am curious to know if either the Town of Olive or Shandaken (in Ulster County) would be eligible to apply for the Waterfront Revitalization grant opportunity offered through the CFA in 2017? Both communities are located on the Esopus Creek - which is a designated inland waterway, however in the Description section of the CFA it also states "to revitalize communities and waterfronts through planning, design, and construction projects, with design and construction tied to prior planning (must have an approved Local Waterfront Revitalization Program or relevant component substantially completed)."

I do not believe either of these communities have an LWRP, but I would like confirmation on that. Additionally, I would like to know if they would be eligible to apply for this round, as both have some potential projects that have been recommended by a local flood analysis.

A25. New York's coasts or inland waterways as designated pursuant to Executive Law, Article 42. The list of coastal waterbodies and designated inland waterways is available at <http://www.dos.ny.gov/funding/>. The list of approved LWRPs is available at http://www.dos.ny.gov/opd/programs/WFRevitalization/LWRP_status.html.

To be eligible for project-specific planning, feasibility, design, and/or marketing needed to advance eligible activities, the municipality would need to be currently preparing a LWRP or component or with an approved LWRP or component. To be eligible for construction of projects, the municipality would need to have an approved LWRP or relevant LWRP component substantially completed. (See [RFA](#) Section II, page 3).

Q26. We were wondering if the Town can apply to complete a combination of projects and change some of the items to be implemented while using the LWRP plan as a basis or foundation for improvements. Additionally, we anticipate that the cost estimates will change from the ones provided in the LWRP plan—will that be an issue?

Lastly, can the 25% match be a combination of in-kind services, cash, and non-EPF grants, as was the case last year?

A26. Eligible applicants may apply for EPF LWRP funding to complete a combination of projects included in an approved LWRP or an approved component of an LWRP. The proposed project could include modifications to projects detailed in the approved LWRP, however, modifications should be consistent with policies set forth in the LWRP and advance LWRP goals and objectives.

Project cost estimates may differ from those provided in the LWRP. Awards will not exceed application budget requests.

The required local match can be a combination of in-kind services, cash, or other grants not funded through the New York State Environmental Protection Fund (EPF) or federal government, which directly support the project. Refer to the [RFA](#) Section VI FUNDING RESTRICTIONS pages 12-14 for more details on Local Match, Volunteer Services, Donated Professional Services, Construction, Eligible Costs, and Ineligible Costs.

Q27. If my project encompasses multiple towns, villages, and a City to create a LWRP for Onondaga Lake, how do I denote the addresses for the project location on CFA question Q_616?

A27. For projects which encompass multiple municipalities, you may enter the address for each location which each addresses separated by a comma.

Q28. Is it recommended I get a letter of support from all adjacent towns, villages, and the City of Syracuse for this LWRP since a program would involve their cooperation?

A28. Letters of support are not required to be submitted and will not be scored. The submission of letters of support from project participants may be submitted as evidence of a project partner's commitment and support of a proposed project. Letters of support may be submitted as attachments through the Consolidated Funding Application (CFA question Q_1978).

Q29. Is it recommended that I first prepare an LWRP for Onondaga Lake before planning any projects?

A29. Preparing an LWRP is an eligible activity for this funding opportunity. See page 5 of the [RFA](#).

Q30. How do I complete two LWRP grant applications at once? It appears on the CFA website as a single application.

A30. Applicants seeking funding for more than one project must start a new application for each project and obtain an application number for each project. For detailed instruction, please refer to [2017 Application Manual](#) Using the Application (pages 3-6).

Q31. How far along do plans for a general LWRP preparation have to be? Is the purpose of the application to make the case when my waterfront should have such a plan, or present a plan that we have already created?

A31. A grant application for funding to prepare an LWRP does not require any prior planning work. If successful, grant funding could be provided to develop the LWRP.

Eligible applicants with a completed and approved LWRP may apply for EPF LWRP funding for project-specific planning, feasibility, design, marketing and construction projects needed to advance eligible activities identified in the LWRP and located within the LWRP boundary. In this case, the grant application should identify an LWRP has been approved and as appropriate include relevant excerpts which support the proposed project.

Q32. We are working with a municipality that will plan on bonding for the match amount if awarded the grant. Would passing a resolution stating that they will commit to bonding and perhaps a letter from a fiscal officer stating that they have the ability to bond for the amount of the match, be sufficient to show matching funds for the LWRP grant? The grant request will be for implementation of a project in their approved LWRP.

A32. Applicants are required to describe the matching share in detail in the CFA (CFA question Q_1978), noting amount, source (including any restrictions on the use of funds from that source), type (cash, donated, in-kind), and when available.

Q33. The Greenpoint Monitor Museum is a NY State chartered museum education corporation under the University of the State of NY. Waterfront property at the launch site of the USS Monitor was donated to the Museum. The site at this time is vacant land. The site was flooded during hurricane Sandy.

Through a community lawsuit against Mobil Oil for an oil spill, funding was provided for local projects to improve the environment. The Museum's project to restore its shoreline, provide public access along a shore public walkway and raise the site for flood protection was accepted as one of the projects. We received funding for engineering services to develop design construction drawings, specifications and permits for the project.

We would be applying for funds toward the actual construction of the project. Please let us know if the Museum would qualify to apply for this funding.

A33. Not-for-profit organizations (including, but not limited to, community-based organizations and neighborhood groups) and for-profit organizations are not eligible applicants for EPF LWRP grants. Eligible applicants are villages, towns, or cities, and counties (with the consent and on behalf of one or more villages, towns, or cities) which are located along New York's coasts or inland waterways as designated pursuant to Executive Law, Article 42. Eligible applicants may partner with other organizations; however, only applications from eligible applicants will be evaluated for funding.

Eligible applicants with an approved LWRP, or relevant component substantially completed, may apply for funding for construction projects which implement the LWRP.

Q34. The DOS grant description is less clear about what kinds of design projects can be funded through LWRP than OPRHP Parks and/or Historic Preservation. OPRHP funding can go to either public or private buildings, but only if they are publicly accessible and are used for public programming. Broadly defined, museums count.

I was wondering if a similar standard applied to DOS LWRP money, or if it can only go to public open space and publicly owned buildings, such as pavilions, restrooms, or other park infrastructure?

A34. For EPF LWRP grants, design and construction projects are only eligible for funding if construction will occur on public property or where there is a permanent public interest established, such as an easement, and the predominant purpose is to provide a public benefit. Refer to the [RFA](#) Section V. page 13 for more details regarding requirements for Eligible Applicants, Eligible Activities and Funding.

Q35. Are we allowed to use an existing consultant for a DOS project or do we have to go out to RFP for a consultant?

A35. The DOS encourages competitive bidding to arrive at the best value for the use of State funds. All successful applicants must comply with procurement requirements for municipalities, see [RFA](#) "Compliance with Procurement Requirements" page 20.

Q36. Can salary equivalent for an academic researcher from a SUNY school be used as matching funds?

A36. Paid and unpaid donated professional services included in the local match are limited to those that are required to complete project tasks and only when services provided are in direct relation to the profession of the individual providing these services. See [RFA](#) "Donated Professional Services" page 12. Applicants must provide a description of the work to be undertaken by each individual and the reason for using a donated professional services rate rather than the volunteer services rate in the grant application (CFA question Q_6619).

Q37. We are trying to refine a multi-town DOS Project. In developing in-kind commitments, are we allowed to use an engineering report that is being developed for the Grant Application as a match, post award?

A37. Eligible project costs must be incurred on or after April 1, 2017 and must directly support the proposed project. Costs incurred prior to April 1, 2017 are not eligible for reimbursement.

Q38. A municipality we are working with is considering applying for funding to complete/update an LWRP. A portion of the Village, is a "potential" environmental justice area. Would this qualify them for the 85% match as opposed to the 75% match? Are additional steps needed to confirm the area is an actual environmental justice area as opposed to a "potential" environmental justice area?

A38. If an area is listed as a potential environmental justice area on the DEC maps, then no additional steps needed to confirm this designation. Maps depicting potential environmental justice areas are available on the NYS Department of Environmental Conservation website: <http://www.dec.ny.gov/public/899.html>.

For applications to prepare or update an LWRP for one municipality, a portion of the LWRP boundary area must meet the environmental justice criteria for the grant to receive state assistance of 85% of the total project cost. If the proposed project is located in an environmental justice area, provide the census tract(s) number and county where the project is located in CFA question Q_6623.

Q39. Our question is whether we can apply for a DOS LWRP grant to support dredging of the Salmon River. The County, Village and Town could support the work.

A39. Eligible applicants may apply for EPF LWRP funding for project-specific planning, feasibility, design, marketing and construction projects needed to advance eligible activities, located within their LWRP boundary.

Q40. Can LWRP (or other) grant resources be used to develop a "Comprehensive Plan" for a Town with extensive frontage on Onondaga Lake?

A40. Eligible applicants may apply for EPF LWRP funding for planning projects needed to advance any of the eligible activities listed in the [RFA](#) pages 4-12, including preparation of a comprehensive plan. Comprehensive plans funded through EPF LWRP are expected to meet relevant legislative requirements and address waterfront revitalization.

- Q41.** We are going to write a grant application for a wetland and floodplain restoration and creation project at the south end of Canandaigua Lake along Naples Creek. The Nature Conservancy is a project partner and in 2016, they purchased 80 acres of land that is integral to the project. This piece of land is adjacent to DEC-owned land, and the TNC and DEC land will both be utilized in the project- approximately 200 acres. At some point in the future, TNC is considering selling or gifting the land to DEC. Is there a length of time that TNC (with an easement to either the Town of Naples or DEC) needs to hold onto the land for the land purchase to count as local match?
- A41.** Grant funded work must be done on public property or where there is a permanent public interest established, such as an easement, and the predominant purpose is to provide a public benefit. The value of an easement may be used as local match if it is executed within three years of the contract start date or within the executed contract term. Property where improvements are made must remain available to the public and provide direct public benefit for the intended useful life of the project. There is no necessary length of time period for ownership of property. However, if the property were sold and remains in public ownership or the easement remains uninterrupted the value of the easement may still be used as local match. If the property is sold and the easement interrupted the Department may require that grant funds are returned or another source of eligible match be identified.
- Q42.** For a separate project, we are partnering with Ontario County to complete a similar floodplain and wetland restoration and creation project, which is located at the northern end of the lake. The land is located at Finger Lakes Community College, so it is already owned by the Ontario County. However, if the project is completed, the College would not be able to expand or develop this portion of their property. Can the value of this land be utilized as local match?
- A42.** If the land was not acquired (e.g., purchase or donation) within three years prior to the contract start date or within the executed contract term, the value of the land may not be used as local match.
- Q43.** In reading the chart for the LWRP I have a question about the Watershed Revitalization Plan. Peach Lake is on the designated inland waterways list of inland waterways. We are interested in protecting the lakes natural resources. I would like to chat with someone about what is reasonable before I spend time putting a grant in again.
- A43.** Eligible applicants are villages, towns, or cities, and counties (with the consent and on behalf of one or more villages, towns, or cities) which are located along New York's coasts or inland waterways as designated pursuant to Executive Law, Article 42. Eligible applicants may submit an EPF LWRP grant application to prepare a Watershed Management Plan which must address public access and public benefit.

Q44. I am applying for a CFA Grant through the NYS Dept. of State seeking funding to hire a consultant to work with the Town to adopt an LWRP. In the CFA application there are several questions that don't seem relevant to a Planning Grant, i.e.:

- Does your project directly address the needs of people in your region who are living in poverty and who seek resources for inclusion in the economic life of New York State?
- How does your project build workforce development programs, improve physical infrastructure, and/or establish social services that connect people living in poverty in your region with skilled employment, in correspondence with the economic revitalization priorities, distressed community targets, and the industry growth areas identified in the Opportunity Agenda and Strategic Plan?
- Does your project provide opportunities for Veterans' to participate in the workforce, or improve services to the Veterans' and military families in New York?
- Does your project advance downtown revitalization?
- If yes, please detail how it will attract and retain residents, visitors and businesses and transform neighborhoods.

Do I answer these questions "Yes" and talk in general terms about how an LWRP could ultimately assist people in poverty, veterans, retain residents, etc. or do I just answer "No", which in my opinion is more of a "Not Applicable"

A44. Applicants must use their best judgment in providing complete and accurate responses to questions in the CFA. See [RFA](#) page 2 for information related to these questions.